

DEPARTMENT OF TRANSPORTATION
U.S. COAST GUARD
STATEMENT OF
REAR ADMIRAL GEORGE N. NACCARA
COMMANDER, FIRST COAST GUARD DISTRICT
ON
THE MAGNUSON-STEVENSON FISHERY CONSERVATION
AND MANAGEMENT ACT
BEFORE THE
SUBCOMMITTEE ON OCEANS AND FISHERIES
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE
BOSTON, MASSACHUSETTS
APRIL 10, 2000

Good morning, Madam Chairman and distinguished members of the Subcommittee. I am Rear Admiral George Naccara, Commander of the First Coast Guard District. On behalf of the Commandant, Admiral Jim Loy, thank you for the opportunity to appear before you today to discuss the Coast Guard's efforts in support of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA).

The Coast Guard is firmly committed to providing effective at-sea enforcement of fisheries conservation and management programs that are established by the Fishery Management Councils (FMCs) and the National Marine Fisheries Service (NMFS) under the MSFCMA. We recognize that the proper stewardship of our fisheries resources, and of all marine protected species, is of great importance to protect both the environment and the economic impact fisheries have on this nation. We work closely with NMFS, the National Oceanic and Atmospheric Administration (NOAA), and all stakeholders to exercise this stewardship.

The fishing industry continues to play an integral role in the New England culture and economy. New Bedford, Massachusetts is second only to Dutch Harbor, Alaska in the value of domestic catch landed in the U.S., and the industry, both commercial and recreational, provides approximately one and one-half billion dollars of revenue to the region. American lobster is the single most valuable marine species

landed in the U.S. -- worth over \$253 million in 1998.

The First Coast Guard District encompasses the Northeastern United States from Shrewsbury River, New Jersey to the Canadian border. This area includes such traditional and bountiful fishing areas as Georges Bank, Davis Bank, and the Southern New England Canyons. To help sustain the fisheries in this vast area, the fishery management plans (FMP) and amendments have implemented closed areas and regulated areas throughout the region. The following list reflects the enforcement regions for fiscal year 2000:

- ~10,600 square nautical miles of year-round closed areas (Closed Areas I & II (CA I/II), Western Gulf of Maine (WGOM), and Nantucket Lightship Closed Area (NLCA));
- ~3,400 square nautical miles of year-round restricted gear areas (to prevent gear conflicts);
- ~53,200 square nautical miles of seasonal closed areas (rolling closed areas);
- ~5,280 square nautical miles of critical habitat (to protect the northern right whale);
- ~490 square nautical miles of marine sanctuary (Stellwagen Bank);
- ~15,000 square nautical miles of pinger-only gillnet areas (to protect harbor porpoises);
- And, in just a few weeks, an additional seasonal closure covering 6,000 square nautical miles of fishing grounds north of the tip of Cape Cod designed to protect the threatened Gulf of Maine cod stocks.

Enforcement of the fisheries regulations associated with these specific areas, in addition to protecting the more than 100,000 square nautical miles of the Exclusive Economic Zone (EEZ) off New England, is a high priority to the Coast Guard. To carry out our enforcement responsibilities under the MSFCMA, the Coast Guard has adopted a strategic plan, OCEAN GUARDIAN, that outlines the Coast Guard's long-range strategy to provide effective enforcement in support of the national goals for fisheries resource management and conservation. Under OCEAN GUARDIAN, the First District conducts the only permanent operation dedicated to fisheries enforcement in the Atlantic, Operation ATLANTIC VENTURE. ATLANTIC VENTURE is based on an intelligence-driven framework for Coast Guard offshore enforcement operations. It also guides our cutter and aircraft commanders who are tasked

with enforcing the 13 fishery management plans, the Marine Mammal Protection Act (MMPA), and the Endangered Species Act (ESA), involving more than 40 different species of marine life. In fiscal year 1999 alone, the First District devoted more than 29,000 resource hours to patrolling offshore by Coast Guard aircraft and cutters in support of living marine resource regulations. In addition, we conducted nearly 1,600 boardings, resulting in improvements to commercial fishing vessel safety and improved compliance with the fishery management plans.

We do not conduct this enforcement mission alone. In carrying out our mandate to enforce fisheries conservation and management regulations, we partner with NMFS, NOAA General Counsel, state agencies, local fishing industry groups, and the New England Fishery Management Council (NEFMC). Together, we all work to achieve a balance of safety, enforcement effectiveness, and service to the fishing industry, thus ensuring the long-term sustainability of our living marine resources.

The NEFMC, consisting of representatives from maritime states, environmental organizations, and fishing communities, exists under the authority of the MSFCMA and serves to produce management measures to attain sustainable fisheries. As I said, we partner closely with the Council, and we participate in the Council as a non-voting member to advise on the enforceability implications of proposed fisheries management plans and the impact of those plans on fishing vessel safety. It is imperative that safety and enforceability concerns be addressed in the regulation development process. Adequate weighting of enforceability can be a challenge as many variables including statistical, biological, and social considerations factor into this complex decision-making process. Regulations that may tempt smaller coastal fishermen farther offshore to fish or exemptions to closed areas that reduce the effectiveness of our enforcement efforts are of concern to me. The MSFCMA provides the mechanism the Coast Guard needs to address these issues, particularly with the 1996 addition of National Standard Ten. An enforceable plan that encourages safety at sea is essential to ensuring the safest environment possible for the fishing community while ensuring the sustainability of the living marine resources of our nation.

We view the well-being of fishing vessel crews and the safety of their vessel as our highest safety priority. During the past few months, the Coast Guard has been conducting a commercial fishing vessel safety initiative called Operation SAFE CATCH along the Atlantic seaboard and in the Gulf of Mexico. Operation SAFE CATCH is the Coast Guard's effort to expand the focus on at-sea and onshore examinations. During the examinations, fishermen are required to meet regulatory demands including specified safety equipment (immersion suits, life rafts, and Emergency Position Indicating Radio Beacons (EPIRBs)). We also encourage the fishermen to critically examine the non-regulated material condition of their vessels for safety deficiencies. Areas of critical importance are the hull condition, vessel stability, and watertight integrity. When vessels capsize and sink at sea, the reason is usually related to one or more of these physical conditions of the vessel. Many watertight integrity and stability issues are based on a lack of crew awareness and training. These non-regulatory measures are founded on good engineering practice rather than regulation, and our primary focus is to educate the mariner and improve the seaworthiness of the vessel.

Operation SAFE CATCH continues the Coast Guard's strong emphasis on people helping people in our common workplace, the open ocean. During the first 90 days of Operation SAFE CATCH, we identified more than 100 commercial fishing vessels in our district as "high-risk" vessels. ("High risk" is defined as any vessel that engages in a high-risk fishery (e.g., inshore scallop, urchin, or derby fishery); has a history of prior safety violation or casualties; has a history of material conditions requiring serious search and rescue interventions; or upon boarding, is found to have conditions warranting termination.) Every one of these vessels was approached in port and assisted by Coast Guard personnel to reach the higher safety standards. The early results of this operation are promising. In fact, I believe it has already saved lives.

I also remain focused on my people that carry out this important national mission. In 2000 and 2001, active duty military full-time equivalents (FTE) will increase by 959. This significant increase will improve the Coast Guard's operational capabilities both in the First District and nationwide. Although attracting quality candidates to serve in the military remains a challenge, the Coast Guard recently has

been as successful as the other sea services in recruitment, and the fiscal year 2001 budget includes an increase in recruitment funds. The Coast Guard is building on this success by requesting additional recruitment and retention initiatives in fiscal year 2001. Funds requested in 2001 will enable us to train, retain, and properly outfit Coast Guard personnel, allowing the Coast Guard to meet national objectives and giving Coast Guard personnel the right skills and equipment to do their jobs safely and effectively.

Future modernization is also important if our fisheries law enforcement resources are to be sustained or improved. The Coast Guard, through the innovative Deepwater Capability Replacement Project, is addressing the modernization needs necessary to provide this important enforcement through the coming decades. The project is designed to ensure timely acquisition of a system of systems that will leverage technology to meet the demanding mission needs in the offshore environment. As I have indicated previously, there is an enduring demand for our unique offshore enforcement capabilities to enforce the fisheries conservation and management goals of MSCMFA, as well as increasing responsibilities under the MMPA and ESA. The Integrated Deepwater System is the Coast Guard's plan to ensure that this capability exists into the future and I ask for your full support of the President's fiscal year 2001 funding request for this project of national importance.

The Coast Guard is a key partner in the complex fisheries sustainability effort and we appreciate being included in the continuing efforts to implement and, when necessary, improve the MSFCMA.

Sustaining our country's natural resources and ensuring the safety of fishermen are high Coast Guard priorities. We are dedicated to reaching both goals, realizing our contributions will be most effective only with the continued cooperation and support of fishing communities, the councils, and state and local agencies. The MSFCMA provides the tools we need to address Coast Guard fisheries concerns and, as such, I do not recommend any changes during this re-authorization.

Thank you for your continued leadership and support of the Coast Guard, and for providing this opportunity to discuss these important fisheries issues with you today. I will be happy to answer any questions you may have.

